

Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W

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O R 100022Z DEC 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC IMMEDIATE 1542

INFO USINT BAGHDAD

C O N F I D E N T I A L USUN 6030

EXDIS

E.O. 11652: GDS

TAGS: PFOR, US, IZ

SUBJECT: IRAQ UN MISSION ACQUISITION OF FIREARMS

REF: STATE 299104

1. PURSUANT REFTEL, AMB BENNETT ARRANGED MEETING WITH IRAQ PERM REP AL-SHAIKHLY FOR 11:00 AM DECEMBER 9. HE WAS ACCOMPANIED BY JOSEPH KING, TREASURY DEPARTMENT (CUSTOMS) AND JOSEPH GLENNON, USUN SECURITY. IT WAS APPARENT FROM FIRST TELEPHONE CONTACT WITH AL-SHAIKHLY WAS FULLY AWARE OF REASON FOR MEETING, WHICH WAS HELD AT IRAQI MISSION. HE ANNOUNCED AT OUTSET OF CONVERSATION THAT HE WAS RECEIVING NUMEROUS TELEPHONE CALLS ABOUT THE QUESTION.

2. BENNETT WENT CAREFULLY DOWN TALKING POINTS OF REFTEL WITH AL-SHAIKHLY, WHO WAS UNACCOMPANIED. BENNETT STRESSED SERIOUSNESS OF PROBLEM AND UNDERLINED THAT MISSION'S CONTINUED POSSESSION OF FIREARMS DELIVERED TO THEM ILLEGALLY IS IN VIOLATION OF FEDERAL LAW AND A FLAGRANT DISREGARD OF IRAQ'S OBLIGATION AS A DIPLOMATIC MISSION ACCREDITED TO THE UN. HE SUGGESTED THAT THE IRAQ MISSION COOPERATE IN CLARIFYING THE FACTS AND IN HANDING OVER THE WEAPONS TO US CONTROL IN BEST INTEREST OF MISSION AND OF RELATIONS BETWEEN OUR TWO COUNTRIES.

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3. THROUGHOUT CONVERSATION AL-SHAIKHLY PRESENTED A MIXTURE OF

INNOCENCE, IGNORANCE AND EXPRESSED WILLINGNESS TO COOPERATE. HE SAID HE HAD NOT BEEN INVOLVED IN THE TRANSACTION HIMSELF (HE ACKNOWLEDGED THAT AL-TAUUAR HAD HANDLED MATTER), BUT OFFERED REPEATEDLY TO SEEK INFORMATION TO DETERMINE FACTS AND CLARIFY SEVERAL POINTS RAISED BY CUSTOMS REP. AL-SHAIKHLIY EXPLAINED THAT IRAQ GOVERNMENT HAS LICENSE FOR EXPORT OF HAND GUNS AND HAS EXPORTED THROUGH RELIABLE SELLERS AND MANUFACTURERS -- HE MENTIONED SMITH AND WESSON. HE INSISTED THAT WEAPONS IN QUESTION ARE TERMED AUTOMATIC PISTOLS IN IRAQ SINCE THEY USE PISTOL AMMUNITION AND ARE THUS CONSIDERED HAND GUNS -- JUST A DIFFERENCE IN TERMINOLOGY, HE EXPLAINED. BENNETT POINTED OUT THAT JANE'S LISTING OF WEAPONS CLASSIFIES THEM AS SUB-MACHINE GUNS.

4. AL-SHAIKHLIY PROFESSED IGNORANCE AS TO HOW DEAL HAD BEEN ARRANGED. ANTONIO HAD APPEARED -- HE COULD NOT RECALL LAST NAME BUT IT WAS DIFFERENT FROM POLYTARIDES. HE HAD OFFERED TO SUPPLY WEAPONS IN QUESTION, WHICH IRAQIS CONSIDERED HAND GUNS AND THUS WITHIN THEIR LICENSE ARRANGEMENTS. SO FAR AS HE KNEW, NO WRITTEN CONTRACT EXISTED. A LETTER OF CREDIT IN THE AMOUNT OF \$74,500 HAD BEEN OPENED AT IRVING TRUST COMPANY. LATER IRAQIS BECAME SUSPICIOUS OF ANTONIO AND TRIED TO GET OUT OF THE DEAL, ONLY TO FIND THAT "THROUGH THE ERROR OF A GIRL AT IRVING TRUST", THE ENTIRE LETTER OF CREDIT HAD BEEN PAID OUT TO ANTONIO. THEY PROCURED FROM ANTONIO A CHECK FOR THE FULL AMOUNT, DRAWN ON TRAFALCON, INC. ACCOUNT AT CHEMICAL BANK, PAYMENT WAS REFUSED ON GROUNDS OF INSUFFICIENT FUNDS (AL-SHAIKHLIY BROUGHT FORTH REJECTED CHECK). FINALLY, DELIVERY WAS MADE AT MISSION OF 70 REPEAT 70 MAC-10 GUNS. AL-SHAIKHLIY SAID MISSION HAD NEVER HAD GUNS DELIVERED THERE BEFORE; IT HAD ALWAYS BEEN JOB OF SELLER TO ARRANGE LICENSING AND MAKE EXPORT SHIPMENTS DIRECTLY. ANTONIO IN THIS CASE HAD PROMISED SHIPMENT TO IRAQ FROM GREECE. AL-SHAIKHLIY WAS NOT HAPPY OVER FACT THAT DELIVERY WAS MADE TO MISSION, AND HE ONLY DISCOVERED IT ON HIS ARRIVAL AT THE OFFICE IN THE MIDST OF ACTUAL DELIVERY. HE INSISTED MISSION ONLY HAD 70 GUNS IN ITS POSSESSION, WHEREAS BENNETT STRESSED

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THAT OUR INVESTIGATION REPORTED 100 GUNS DELIVERED. SIGNED RECEIPT SHOWED 4 CARTONS DELIVERED AND ACCEPTED. AL-SHAIKHLIY INSISTED THERE WERE ONLY 3 CARTONS IN MISSION'S POSSESSION. KING WAS GIVEN OPPORTUNITY TO SEE WEAPONS ON TOP FLOOR OF IRAQ MISSION; HE SAW ONLY 3 CARTONS, ONE OF WHICH WAS OPEN.

5. AL-SHAIKHLIY AGREED TO HAND OVER WEAPONS AND

ARRANGEMENTS WERE MADE FOR KING TO PICK THEM UP MORNING DECEMBER 11. DISCREPANCY AS TO NUMBER OF CARTONS AND DIFFERENCE BETWEEN 100 SUB-MACHINE GUNS WHICH FIGURED IN US INVESTIGATIVE REPORT AND 70 WEAPONS ACKNOWLEDGED BY AL-SHAIKHLY, REMAINED UNRESOLVED.

6. AL-SHAIKHLY UNDERTOOK TO GET ANSWERS TO SEVERAL QUESTIONS AND PROBLEMS OF IDENTIFICATION RAISED BY KING, AND PROMISED HIS FULL COOPERATION. HE CONTINUED TO BE CONCERNED ABOUT HOW IRAQ COULD GET ITS MONEY BACK. HE REITERATED THAT THE WHOLE TRANSACTION HAD BEEN A BAD MISTAKE AND HE WOULD PROBABLY ENGAGE A LAWYER TO HANDLE ONGOING PROBLEMS CONNECTED WITH THE TRANSACTION. IT CAME OUT DURING CONVERSATION THAT AL-TAYYAR HAD RECENTLY RETURNED FROM A VISIT TO BAGHDAD.

7. BENNETT EXPRESSED SATISFACTION OVER OFFER OF COOPERATION BY IRAQI PERM REP AND SAID USG WOULD APPRECIATE FULL COOPERATION OF IRAQI MISSION IN GATHERING AS COMPLETE INFORMATION AS POSSIBLE ON THE QUESTION. HE SAID WE WOULD ALL HAVE TO ASSUME THERE WOULD BE PUBLICITY IN CONNECTION WITH AFFAIR.

8. AL-SHAIKHLY WAS TOLD THAT WE WERE INFORMING UN SECRETARIAT OF MATTER. BENNETT AND GLENNON CALLED ON LEGAL ADVISER SUY AFTERNOON DECEMBER 9 TO BRIEF HIM.
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PROCUREMENT, MACHINE GUNS, ARMS, DIPLOMATIC MISSIONS, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 DEC 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN06030
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760455-0936
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761252/aaaabsqx.tel
Line Count: 144
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: 76 STATE 299104
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 19 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19 MAY 2004 by BoyleJA>; APPROVED <14 SEP 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IRAQ UN MISSION ACQUISITION OF FIREARMS
TAGS: PFOR, US, IZ
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006